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20 AUG 1971

**MEMORANDUM FOR: Mr. William H. Rehnquist
Chairman, Security Review Committee**

**SUBJECT : Safeguarding Official Information in the
Interest of the Defense of the United
States (Executive Order 10501, as
amended)**

1. This memorandum is in response to your request made during our last meeting for appropriate substitute wording of paragraph h, of the "Special Categories" section of our current draft (page 15).

2. Following your request, I have consulted with people directly concerned with conducting intelligence operations abroad and the producers of finished intelligence within the Central Intelligence Agency. I have also consulted with members of the Security Committee of the United States Intelligence Board.

3. Those persons involved with intelligence operations were particularly emphatic on having information excluded from automatic declassification if it pertains to intelligence sources and methods. Since sensitive intelligence has a direct counter-intelligence relationship to sources and methods, there is the broadest concurrence that it should remain carved out of automatic downgrading procedures.

4. Upon narrowing these considerations against the statutory requirement for the protection of intelligence sources and methods, the following wording is suggested as a substitute for "intelligence" as used in paragraph h, of the draft:

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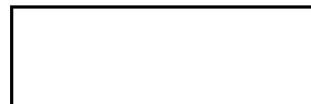
"sensitive intelligence and information involving intelligence sources and methods."

For your convenience, a new page 15 incorporating the change is attached.

5. The term "sensitive intelligence" was at one time in the draft Definition of Terms. It was later removed in favor of a definition for "sensitive intelligence sources and methods." Now that it is being reintroduced, the following definition for sensitive intelligence, taken from DCID No. 1/7, dated 5 October 1970, should be added:

"Sensitive Intelligence: Sensitive intelligence information is that classified intelligence, the unauthorized disclosure of which could lead to counteraction (a) jeopardizing the continued productivity of intelligence sources and methods which provide information vital to the national security or (b) offsetting the value of intelligence vital to the national security."

For convenience, I am attaching a new page 3.



CIA Member

Attachments:

New Page 15

New Page 3 (Definition of Terms)

cc: Mr. Howard C. Brown, Jr. - AEC
Mr. Joseph J. Liebling - Defense
Mr. William D. Blair, Jr. - State
Mr. Thomas K. Letimer - NSC

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the Defense of the United States (Executive Order
10501, as amended)**

CONCURRENCES:

15/ John S. Warner

for Lawrence R. Houston
General Counsel

19 AUG 1971

Date

S I G N E D

John W. Coffey
Deputy Director
for Support

19 AUG 1971

Date

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determined, the initial starting date of which shall be the date of the new medium.

(b) Special Categories:

(1) Classified information determined to fall within the following categories may warrant some degree of classification for an indefinite period and, therefore, is excluded from the provisions of Section 4 (a), above.

a. Information originated by foreign governments or international organizations and over which the United States Government has no final classification jurisdiction.

b. Information specifically covered by statute, such as the Atomic Energy Act and information or material requiring special handling such as cryptography, sensitive intelligence and information involving intelligence sources and methods.

c. Information which is identified in writing by the head of a department or agency or his designee as extremely sensitive in the sense that for a period of indefinite duration its unauthorized disclosure would place in immediate jeopardy a person, system, plan, program, installation or method of operation the continuing protection of which is required in the interest of national defense or political-military information which concerns or affects the formulation and conduct of United States foreign policy and plans and programs relating

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Restricted Data: All data (information) concerning (1) design, manufacture or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but not to include data declassified or removed from the Restricted Data category pursuant to Section 142 of the Atomic Energy Act.

Security Clearance: A certification issued by appropriate authority to indicate that a person has been investigated and is eligible for access to classified matter to the extent stated in the certification.

Sensitive Intelligence Sources and Methods: Sensitive intelligence sources and methods are those which produce classified intelligence the unauthorized disclosure of which could lead to counteraction (a) jeopardizing the continued productivity of intelligence sources and methods which provide information vital to the national security or (b) offsetting the value of intelligence vital to the national security.

Sensitive Intelligence: Sensitive intelligence information is that classified intelligence, the unauthorized disclosure of which could lead to counteraction (a) jeopardizing the continued productivity of intelligence sources and methods which provide information vital to the national security or (b) offsetting the value of intelligence vital to the national security.

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